201-15696

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 4 2005

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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Mr. Joe Maffuccio
Sinclair Oil Corporation
5550 East South Temple
P. O. Box 30825
Salt Lake City, Utah 84130-0825

Dear Mr. Maffuccio:

This is in reply to letters from Klane R. Forsgren, Sinclair Oil Corporation (Sinclair), dated April 7, 1999 and April 26, 1999, to Dr. Henry Lau at the U.S. Environmental Protection Agency (EPA) regarding the EPA's High Production Volume (HPV) Challenge Program. Copies of these letters are enclosed for your reference. We apologize for the delay in responding.

Your letters state that Sinclair has reported spent sulfuric acid to the Agency as CAS No. 68611-55-2, and requests that EPA evaluate whether it should be part of the HPV Challenge program.

The substance represented by CAS No. 68611-55-2 is not considered by EPA to be either spent sulfuric acid or a byproduct having no commercial value, as the term byproduct is defined under 40 CFR 710.2(g). It is considered to be a feedstock for the recycling (or manufacture) of sulfuric acid. Under 40 CFR 710.4(d)(2), a byproduct exempted from TSCA is defined as a substance that " has commercial value only to municipal or private organizations who (i) burn it as a fuel, (ii) dispose of it as a waste, including in a landfill or for enriching soil, or (iii) extract component chemical substances which have commercial value..." EPA has reviewed the process described in your April 26, 1999 letter that is used to "recover" sulfuric acid from the so-called spent sulfuric acid and has concluded that the process used is not by extraction of component chemical substances. Rather, the so-called spent sulfuric acid is "atomized into the decomposition furnace, which is direct fired with natural gas, the acid decomposes ...." into CO2, H2O, SO2, and O2. The SO2 is then converted to SO3 which in turn reacted with water to form sulfuric acid. Therefore, this process is really one that manufactures sulfuric acid, it is not a simple extraction. This substance is not considered to be an exemptable byproduct under TSCA and is reportable under the Inventory Update Rule (IUR).

The chemical description, Sulfuric acid, mono-C10-16 alkyl esters (CAS No. 68611-55-2), reported by Sinclair under the IUR in previous reporting cycles, is not appropriate for the spent acid in question. However, if there is really variability of the hydrocarbon alkyl range during this process (instead of a definite C12-16 range), this material could probably be covered by the Inventory listing for "Sludges (petroleum), acid" (CAS No. 64742-24-1) which has the

definition "A complex combination of sulfuric and sulfonic acids, water, esters and high molecular weight organic compounds such as polymers of olefinic hydrocarbons. It is formed during the reacting of petroleum fractions with sulfuric acid." Please note that CAS No. 64742-24-1 is currently sponsored under the HPV Challenge Program by the American Petroleum Institute's Petroleum HPV Testing Group.

In order for EPA to evaluate whether or not the resultant substance from your process meets the reporting requirements as an HPV chemical, it will be necessary for Sinclair to submit another request providing the correct chemical name and CAS Number.

Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-8176. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website (www.epa.gov/chemrtk) comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via email at tsca-hotline@epa.gov.

Sincerely,

ıllis, Director
Chemical Control Division

Enclosures

cc: AR-201